

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137 (B)**

Docket No.
43225 41824BUSP

First Named Inventor: John O. Bieser et al.

Application No./Patent No.: 09/032,893

Group Art Unit: 1771

Filed/Issue Date: February 27, 1998

Examiner: Juska, C.

Title: Homogeneously Branched Ethylene Polymer Carpet, Carpet Backing and Method for Making Same

Attention: Office of Petitions
Commissioner for Patents
Box DAC
Washington, D.C. 20231

FAX RECEIVED

NOV 20 2001

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

PETITIONS OFFICE

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: a grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issuance fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity-fee \$ 37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- Other than small entity - fee \$1280.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of a Reply to Office Action (identify type of reply);

has been filed previously on _____.

is enclosed herewith.

B. The issue fee of \$ _____.

has been paid previously on _____.

is enclosed herewith.

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) if \$____ for small entity or \$____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO 2038.

11/20/2001

Date

J. Benjamin Bai

Signature

J. Benjamin Bai

Typed or printed name

1100 Louisiana, Suite 1800

Address

Houston, Texas 77002

Enclosures: Fee Payment - The Commissioner is hereby authorized to charge all fees to Deposit Account 10-0447(43225-41824BUSP(BAI)).

Reply - Reply to Office Action of November 30, 2000

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: Associate Power of Attorney

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.10]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to the Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

November 20, 2001

Date

M.E.

Signature

Malinda Edwards

Type or printed name of person signing certificate

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